Nos. 14-556, 14-562, 14-571 and 14-574

Supreme Court, U.S.
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IN THE

Supreme Court of the United States

JAMES OBERGEFELL, *et al.*,
AND BRITTANI HENRY, *et al.*,

Petitioners,

v.

RICHARD HODGES, DIRECTOR,
OHIO DEPARTMENT OF HEALTH, *et al.*,

Respondents.

ON WRITS OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

BRIEF OF *AMICUS CURIAE* LEGAL SERVICES NYC IN SUPPORT OF PETITIONERS

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INTEREST OF *AMICUS CURIAE*[1]

Legal Services NYC ("LSNYC") is the largest provider of free civil legal services to low-income people in the United States. It represents tens of thousands of low-income clients each year in a range of different civil legal areas, including housing, governmental benefits, family, immigration, foreclosure and bankruptcy. LSNYC is also a leader in advocating for low-income Lesbian, Gay, Bisexual and Transgender ("LGBT") people, and has provided programs dedicated to the LGBT community for more than 25 years. Like all of LSNYC's clients, the LGBT individuals it serves lack resources. But unlike other groups, this community is too often at the margins of the legal services community because they are LGBT, and of the mainstream LGBT movement because they are poor.

Marriage, and the security and protection it provides, affects all areas of LSNYC's practice. Every day, LSNYC sees the desperate legal needs of people without means: the need for shelter, safety, food and security. LSNYC's extensive experience in this area has revealed the tangible and profound effects that flow from the status of marriage—and the deep harm caused to low-income LGBT individuals and their families when they are denied the benefits, protections and presumptions associated with that status.

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1. Pursuant to Rule 37.6, *amicus curiae* certifies that no counsel for a party authored this brief in whole or in part, and that no person or party, other than *amicus*, its members or its counsel made a monetary contribution to the preparation or submission of this brief. Counsel of record for all parties have consented to the filing of this brief.

Since New York State enacted marriage equality in 2011, LSNYC has witnessed the improvements in the lives of low-income LGBT clients and their children that come with access to the many benefits, protections, and presumptions afforded to married couples. New York grants all of the marital advantages documented below. These advantages should not be subject to discrimination tied to sexual orientation when couples cross state lines, especially when that discrimination falls hardest on those most in need. LSNYC has a strong interest in securing and strengthening the marriages of its clients, and in securing those same rights for low-income LGBT individuals around the country.

INTRODUCTION AND SUMMARY OF ARGUMENT

All Petitioners correctly submit that state laws confer a series of advantages upon married couples that are unavailable to those denied the status of marriage in states like Kentucky, Michigan, Ohio and Tennessee ("Respondents"). Indeed, the States have created a well-defined bundle of benefits, protections and presumptions flowing to those considered "married" under state law. Across a range of thirteen legal areas touching on (i) protecting the parent-child relationship, (ii) granting rights to economic benefits or property and (iii) providing access to justice, the States have spoken with a strong consistent voice to confer on married couples privileges that are unavailable to those the Respondents deny the status of being "married."

As shown below, all fifty States and the District of Columbia have conferred on married couples at least

ten of thirteen advantages deemed important by the States. By choosing to distinguish between married and unmarried people across a range of benefits, protections and presumptions the States have conferred upon the institution of marriage something that goes beyond the status of marriage itself. The Respondents all make the married-unmarried distinction across at least ten of the thirteen advantages surveyed, but deny these advantages to same-sex couples. This imposes unique and foreseeable burdens on low-income LGBT couples and their families, who cannot afford the costs of stitching together the legal protections denied to them, and are particularly vulnerable to the consequences of benefits and rights unfairly denied.

ARGUMENT

All Petitioners correctly submit that state laws confer a series of benefits, protections and presumptions upon married couples that are unavailable to those the Respondents deny the ability to be "married." As the Obergefell Petitioners state:

> Throughout our history, the fact of being married has brought with it a wide swath of protections, reflecting two spouses' uniquely interdependent and enduring relationship. These range from rights in matters of sexual intimacy and reproduction, to marital presumptions of parentage shielding the marital family from intrusions even by a marital child's genetic parent, to protection of marital confidences, regarded as so essential to the preservation of the marriage relationship, to access to government benefits ..., property rights ..., and other, less tangible benefits.

Br. for Obergefell Pet'rs at 37 (internal citations and quotation marks omitted); see also id. at 26-27; Br. for Bourke Pet'rs at 28-29; Br. for DeBoer Pet'rs at 24-27; Br. for Tanco Pet'rs at 4, 20. This bundle of benefits, protections and presumptions has profound effects on married couples and how they order their lives, providing security and predictability to the marital unit. These factors by their very nature have particular importance to low-income couples of the same sex and their families who, for example, cannot afford to hire lawyers and litigate or petition for the protections and presumptions provided automatically to married couples. As discussed below, the effect of denying these benefits is not abstract, but results in clear, foreseeable and profound human and economic costs.

The States have created a well-defined bundle of marital benefits. Across a range of thirteen legal areas touching on (i) protecting the parent-child relationship, (ii) granting rights to economic benefits or property and (iii) providing access to justice, all the States have spoken with a strong consistent voice to confer on married couples and their families privileges that are unavailable to those the Respondents deny the status of being "married." As shown below, all fifty States and the District of Columbia have conferred on married couples at least ten of the thirteen advantages deemed important by all the States.

What is striking about the results set forth below and in Appendices A and B is the consistency with which the States have spoken. The States have overwhelmingly determined to provide married couples and their families with certain baseline protections—with all the States having granted some marital benefits in each of the three

areas listed above. Thus despite acting as individual "laboratories of democracy," see New State Ice Co. v. Liebmann, 285 U.S. 262, 311 (1932), that determine "the incidents, benefits, and obligations" of marriage, United States v. Windsor, 133 S. Ct. 2675, 2692 (2013), all the States agree that laws should protect the parent-child relationship, grant economic benefits and provide access to justice to married couples. This is strong objective evidence, see Atkins v. Virginia, 536 U.S. 304, 312 (2002); see also Hall v. Florida 134 S. Ct. 1986, 1989 (2014), of the fundamental importance of these factors—benefits so widely conferred that they shape our understanding and expectation of what it means to be married in this country.[2] This evidence also highlights the value of these marital benefits and the tangible harm suffered when they are denied to couples of the same sex.

A. Thirteen Factors By Which The States Favor Married Couples And Their Families

By treating same-sex couples as legal strangers, the Respondents deny those couples a range of advantages, including thirteen distinct factors across three legal areas. These factors represent a bundle of benefits, protections and presumptions that on their face have tangible economic and social value.

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2. The remarkable unanimity among the States also correlates strongly with the well-documented evidence that happily married couples consistently come out ahead over time across a range of indicators, including economic, physical and mental wellbeing. See, e.g., Thomas A. Hirschl et al., Does Marriage Increase the Odds of Affluence? Exploring the Life Course Probabilities, 65 J. Marriage & Fam. 927, 932 (2003); Susan L. Brown, The Effect of Union Type on Psychological Well-being: Depression Among Cohabitors Versus Marrieds, 41 J. Health & Soc. Behav. 241 (2000).

Set forth below is a summary of the benefits, protections and presumptions surveyed. **Appendix A** is a chart showing which States have implemented which marital advantages. **Appendix B** contains three summary presentations of the data presented in Appendix A. **Appendix C** sets forth the source for each State and marital advantage.

Laws Protecting the Parent-Child Relationship

- **Adoption:** In **43 States and the District of Columbia,** a married couple may adopt a child jointly, allowing both partners to become the legal parents of the child simultaneously. See, e.g., Alaska Stat. § 25.23.020. Marriage automatically establishes a legal relationship between the child and both adoptive parents, which is a prerequisite to the many benefits and protections associated with the parent-child relationship (see Support and Termination below).

- **Parentage:** In **all but two of the States and the District of Columbia** (30 States) that have enacted such legislation, where a married couple conceives a child using a sperm donor, the woman's spouse is deemed the child's other legal parent. See, e.g., La. Civ. Code Ann. art. § 188.

- **Support:** In **all 50 States and the District of Columbia** children are entitled to support from both of their parents. See, e.g., Ga. Code Ann. § 19-7-2. This maximizes the resources available for the child's well-being while ensuring that the economic responsibilities of parenthood may be apportioned fairly.

- **Termination: In all 50 States and the District of Columbia** parents are protected from termination of the parent/child relationship except in exceptional circumstances. See, e.g., Cal. Fam. Code §§ 7820-23. These laws protect the integrity and autonomy of the family unit.

Laws Granting Rights to Economic Benefits or Property

- **Public Employee Benefits: In 48 States and the District of Columbia** the spouse of a public employee is automatically entitled to public employee benefits. See, e.g., Okla. Stat. tit. 74, § 918.

- **Intestacy: In all 50 States and the District of Columbia,** when one spouse dies without a will, the surviving spouse receives priority in the statutory scheme for distribution of the decedent's estate. See, e.g., Minn. Stat. § 524.2-102.

- **Spousal Allowance: In 46 States and the District of Columbia,** when one spouse dies, the other spouse is entitled to an allowance paid from the estate that takes priority over the claims of creditors. See, e.g., Ala. Code. § 43-8-10.

- **Taxes: In all States and the District of Columbia** that tax personal income (44 States) spouses may file joint returns with attendant tax benefits. See, e.g., Mont. Code Ann. § 15-30-2602.

Laws Providing Access to Justice

- **Consortium:** In **49 States and the District of Columbia** spouses have a cause of action for loss of consortium damages if the other spouse is injured as a result of a third-party's negligence. See, e.g., Or. Rev. Stat. § 108.010.

- **Wrongful Death:** In **44 States and the District of Columbia** spouses and children as a matter of right may receive compensation if the other spouse dies as a result of a third party's negligence. See, e.g., Tenn. Code Ann. § 20-5-106. (In the other five states, these damages are paid to the estate.)

- **Workers Compensation:** In **all 50 States and the District of Columbia** spouses and children receive workers compensation benefits when a working spouse is killed. See, e.g., S.C. Code Ann. §§ 42-9-110, -130.

- **Healthcare:** In **43 States and the District of Columbia** spouses have the presumptive decision-making authority or priority to be appointed by a court to act as a decision-maker for each other's health decisions should one of them become incapacitated. See, e.g., Utah Code Ann. § 75-2a-108.

- **Evidence:** In **all 50 States and the District of Columbia** married people benefit from spousal privilege and cannot be compelled to testify about confidential marital communications. See, e.g., Wyo. Stat. Ann. § 1-12-104.

B. Denying Access To The Protections Of Marriage Causes Tangible Harm To Low-Income Couples And Their Families

By denying same-sex couples the ability to marry, and in refusing to recognize valid marriages between persons of the same sex performed elsewhere, the Respondents deny the bundle of benefits, protections and presumptions described above. This denial falls particularly hard on low-income individuals and families.

First, several of the marriage protections surveyed have direct "dollars and cents" consequences tied to how the State treats a marriage as an economic unit for purposes of conferring benefits or protecting that marital unit. Certain factors also are designed to provide a broader and more stable child support regime should a relationship break down. Finally, some of the factors create a crucial economic safety net triggered upon the death of or injury to a parent or spouse—an economic shock that lands hardest on low-income families.[3]

Second, the certainty and relative simplicity of parentage and adoption protections provided by law to married couples avoids costly and burdensome legal

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3. Recent data suggests that low-income same-sex couples could gain meaningfully if given the advantages routinely afforded by the States to married opposite-sex couples; same-sex couples experience higher rates of poverty than married couples, a burden that particularly affects children. See generally M.V. Lee Badgett, Laura E. Durso & Alyssa Schneebaum, New Patterns of Poverty in the Lesbian, Gay, and Bisexual Community, The Williams Institute, June 2013, available at http://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/lgbt-poverty-update-june-2013.

proceedings that families denied the status of marriage in the Respondent States must bear, and which low-income LGBT families often cannot afford to pursue. Similarly, by denying same-sex families the presumptions of parenthood, the Respondent States have created situations where those who have parented for years may be excluded from hospital rooms, apartments and the very lives of their children, even losing custody of those children and what had been the family home. While certain protections or presumptions provided to married couples may be managed by contract-like instruments (powers of attorney, healthcare proxies, wills), low-income LGBT couples who cannot retain counsel for advice on these issues, or pursue or petition for their rights in court, suffer foreseeable and tangible losses never imposed upon married couples. The Petitioners are correct that marriage as now understood by the States may not be denied to same-sex couples and their families.

CONCLUSION

The judgment of the United States Court of Appeals for the Sixth Circuit should be reversed.

Respectfully submitted,

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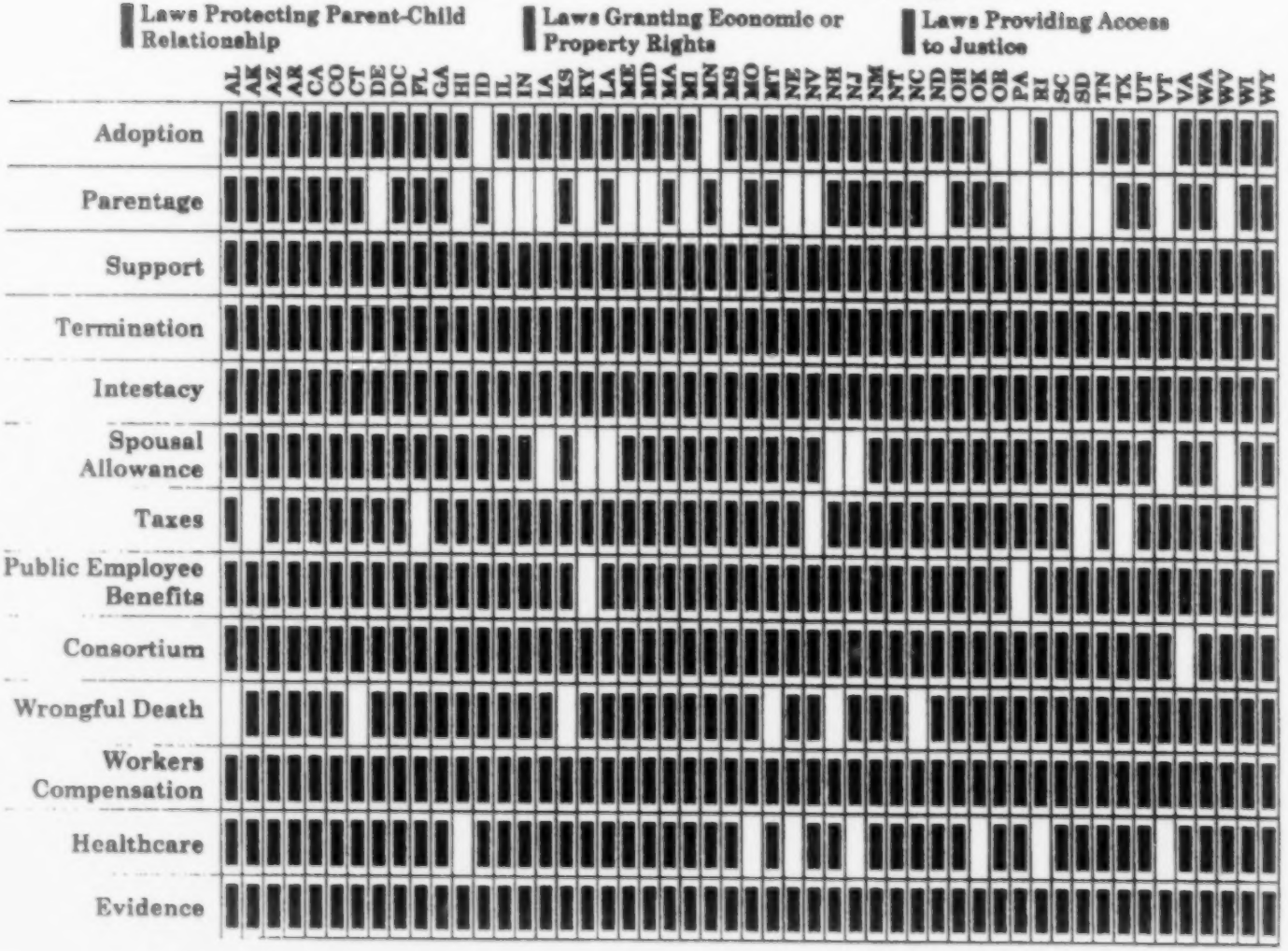
APPENDIX

APPENDIX A

Appendix A:
Marriage Benefits, Protections and Presumptions


Laws Protecting Parent-Child Relationship
Laws Granting Economic or Property Rights
Laws Providing Access to Justice
AL AK AZ AR CA CO CT DE DC FL GA HI ID IL IN LA KS KY LA ME MD MA MI MN MS MO MT NE NV NH NJ NM NT NC ND OH OK OR PA RI SC SD TN TX UT VT VA WA WV WI WY
Adoption
Parentage
Support
Termination
Intestacy
Spousal Allowance
Taxes
Public Employee Benefits
Consortium
Wrongful Death
Workers Compensation
Healthcare
Evidence

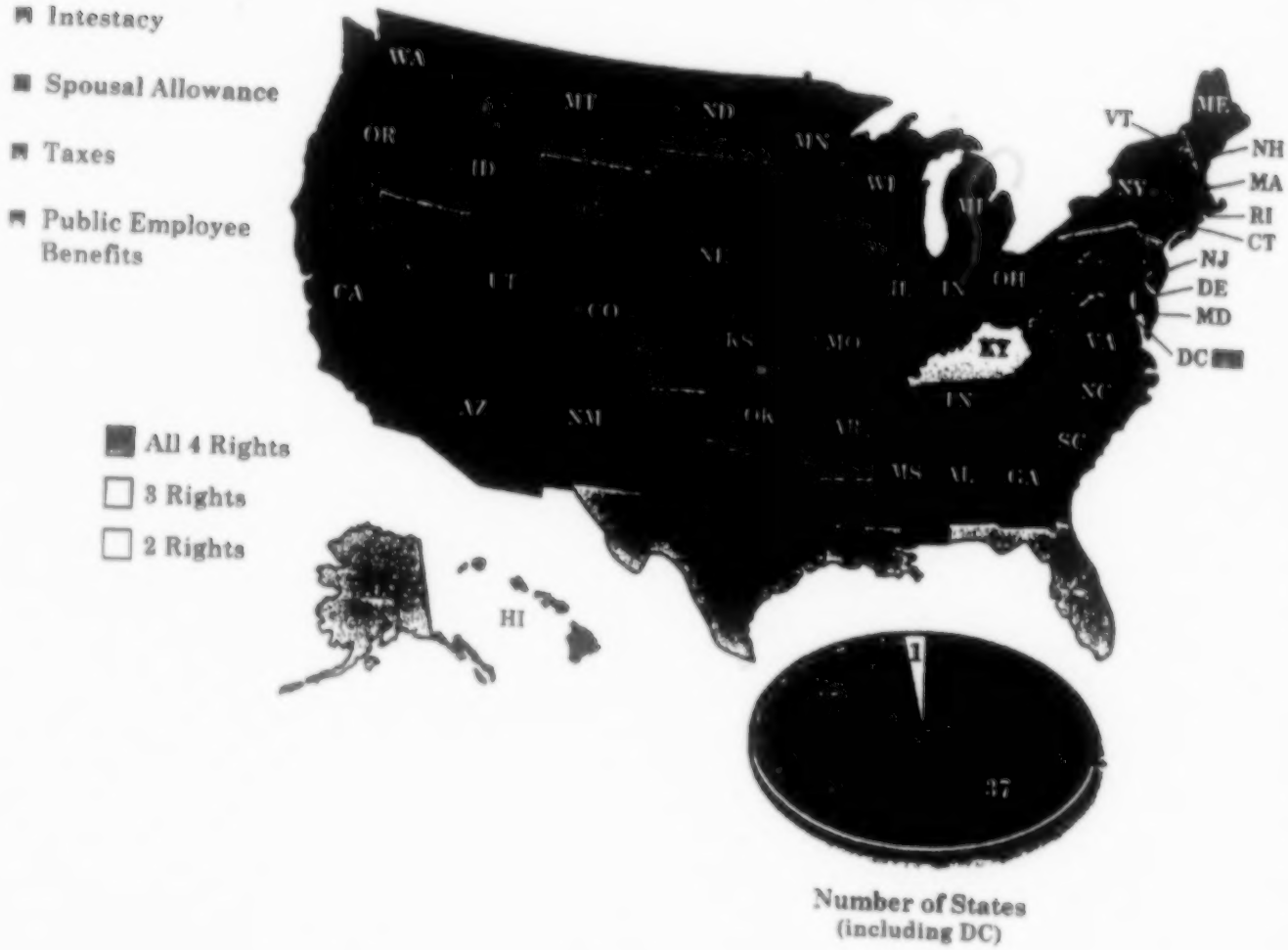
APPENDIX B

Laws Protecting Parent-Child Relationship

- Adoption
- Parentage
- Support
- Termination

APPENDIX B

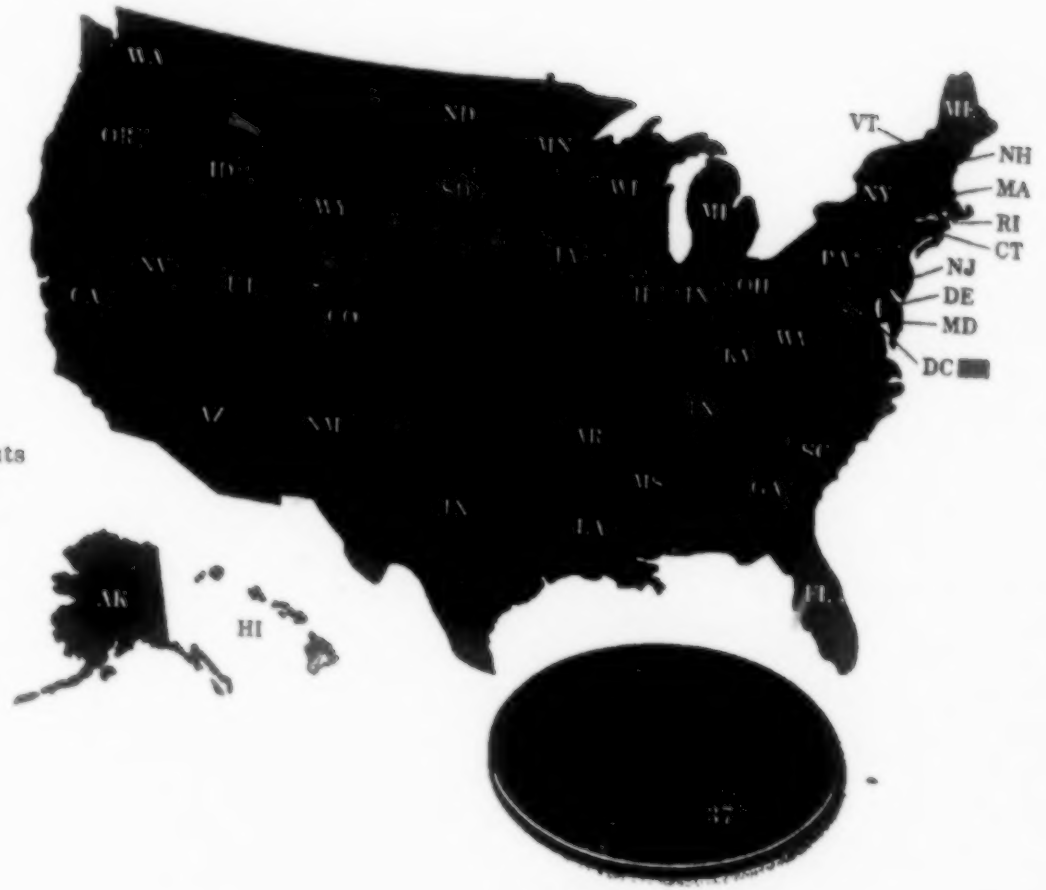
Laws Granting Economic and Property Rights



APPENDIX B

Laws Providing Access to Justice

- Consortium
- Wrongful Death
- Workers Compensation
- Healthcare
- Evidence



Number of States
(including DC)

APPENDIX C

Adoption

Alabama	Ala. Code § 26-10A-5
Alaska	Alaska Stat. § 25.23.020
Arizona	Ariz. Rev. Stat. Ann. § 8-103
Arkansas	Ark. Code Ann. § 9-9-204
California	Cal. Fam. Code §§ 8601, 8603
Colorado	Colo. Rev. Stat. Ann. § 19-5-202
Connecticut	Conn. Gen. Stat. Ann. § 45a-732
Delaware	Del. Code Ann. tit. 13, § 951
District of Columbia	D.C. Code § 16-302
Florida	Fla. Stat. Ann. § 63.042
Georgia	Ga. Code Ann. § 19-8-3
Hawaii	Haw. Rev. Stat. § 578-1
Idaho	N/A
Illinois	750 Ill. Comp. Stat. 50/2
Indiana	Ind. Code § 31-19-2-4
Iowa	Iowa Code Ann. § 600.4
Kansas	Kan. Stat. Ann. § 59-2113
Kentucky	Ky. Rev. Stat. Ann. § 199.470
Louisiana	La. Child. Code Ann. art. 1198
Maine	Me. Rev. Stat. tit. 18-A, § 9-301
Maryland	Md. Code Ann., Fam. Law § 5-331
Massachusetts	Mass. Gen. Laws Ann. ch. 210, § 1
Michigan	Mich. Comp. Laws Ann. § 710.24

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Minnesota	N/A
Mississippi	Miss. Code Ann. § 93-17-3
Missouri	Mo. Ann. Stat. § 453.010
Montana	Mont. Code Ann. § 42-1-106
Nebraska	Neb. Rev. Stat. § 43-101
Nevada	Nev. Rev. Stat. Ann. § 127.030
New Hampshire	N.H. Rev. Stat. Ann. § 170-B:4
New Jersey	N.J. Stat. Ann. § 9:3-43
New Mexico	N.M. Stat. Ann. § 32A-5-11
New York	N.Y. Dom. Rel. Law § 110
North Carolina	N.C. Gen. Stat. § 48-2-301
North Dakota	N.D. Cent. Code § 14-15-03
Ohio	Ohio Rev. Code Ann. § 3107.03
Oklahoma	Okla. Stat. tit. 10, § 7503-1.1
Oregon	N/A
Pennsylvania	N/A
Rhode Island	R.I. Gen. Laws Ann. § 15-7-4
South Carolina	N/A
South Dakota	N/A
Tennessee	Tenn. Code Ann. § 36-1-115
Texas	Tex. Fam. Code Ann. § 162.002
Utah	Utah Code Ann. § 78B-6-117
Vermont	N/A
Virginia	Va. Code Ann. § 63.2-1201
Washington	Wash. Rev. Code Ann. § 26.33.150
West Virginia	W. Va. Code Ann. § 48-22-201

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Wisconsin	Wis. Stat. Ann. § 48.82
Wyoming	Wyo. Stat. Ann. § 1-22-104

Parentage

Alabama	Ala. Code § 26-17-201
Alaska	Alaska Stat. § 25.20.045
Arizona	Ariz. Rev. Stat. Ann. § 25-501
Arkansas	Ark. Code Ann. § 9-10-201
California	Cal. Fam. Code § 7613
Colorado	Colo. Rev. Stat. Ann. § 19-4-106
Connecticut	Conn. Gen. Stat. Ann. § 45a-774
Delaware	N/A
District of Columbia	D.C. Code § 7-205
Florida	Fla. Stat. Ann. § 742.11
Georgia	Ga. Code Ann. § 19-7-21
Hawaii	N/A
Idaho	Idaho Code Ann. § 39-5405
Illinois	N/A
Indiana	N/A
Iowa	N/A
Kansas	Kan. Stat. Ann. § 23-2302
Kentucky	N/A
Louisiana	La. Civ. Code Ann. art. 188
Maine	N/A

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Maryland	N/A
Massachusetts	Mass. Gen. Laws Ann. ch. 46, § 4B
Michigan	N/A
Minnesota	Minn. Stat. § 257.56
Mississippi	N/A
Missouri	Mo. Ann. Stat. § 210.824
Montana	Mont. Code Ann. § 40-6-106
Nebraska	N/A
Nevada	N/A
New Hampshire	N.H. Rev. Stat. Ann. § 168-B:2
New Jersey	N.J. Stat. Ann. § 9:17-44
New Mexico	N.M. Stat. Ann. § 40-11A-703
New York	N.Y. Dom. Rel. Law § 73
North Carolina	N.C. Gen. Stat. § 49A-1
North Dakota	N/A
Ohio	Ohio Rev. Code Ann. § 3111.95
Oklahoma	Okla. Stat. tit. 10, §§ 551-52
Oregon	Or. Rev. Stat. § 109.243
Pennsylvania	N/A
Rhode Island	N/A
South Carolina	N/A
South Dakota	N/A
Tennessee	N/A
Texas	Tex. Fam. Code Ann. § 160.703
Utah	Utah Code Ann. § 78B-15-703
Vermont	N/A

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Virginia	Va. Code Ann. § 20-158
Washington	Wash. Rev. Code Ann. § 26.26.101
West Virginia	N/A
Wisconsin	Wis. Stat. Ann. § 891.40
Wyoming	Wyo. Stat. Ann. § 14-2-501

Support

Alabama	Ex parte M.D.C., 39 So. 3d 1117 (Ala. 2009)
Alaska	Alaska Stat. § 25.20.030
Arizona	Ariz. Rev. Stat. Ann. § 25-320
Arkansas	Ark. Code Ann. § 9-14-106
California	Cal. Fam. Code §§ 4000-02
Colorado	Colo. Rev. Stat. Ann. § 14-10-115
Connecticut	Conn. Gen. Stat. Ann. § 46b-215a
Delaware	Del. Code Ann. tit. 13, § 501
District of Columbia	D.C. Code § 16-916.01
Florida	Fla. Stat. Ann. §§ 61.29-30
Georgia	Ga. Code Ann. § 19-7-2
Hawaii	Haw. Rev. Stat. § 577-7
Idaho	Idaho Code Ann. § 32-706
Illinois	750 Ill. Comp. Stat. 45/3
Indiana	Ind. Code § 31-16-6-1
Iowa	Iowa Code Ann. § 598.21B
Kansas	Kan. Stat. Ann. § 23-3001

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Kentucky	Ky. Rev. Stat. Ann. § 405.020
Louisiana	La. Civ. Code Ann. art. 227
Maine	Me. Rev. Stat. tit. 19-A, § 1652
Maryland	Md. Code Ann., Fam. Law § 12-204
Massachusetts	Mass. Gen. Laws Ann.ch. 208, § 28
Michigan	Mich. Comp. Laws Ann. § 722.3
Minnesota	Minn. Stat. § 518A.35
Mississippi	Miss. Code Ann. § 93-11-65
Missouri	Mo. Ann. Stat. § 452.340
Montana	Mont. Code Ann. § 40-4-204
Nebraska	Neb. Rev. Stat. § 42-364
Nevada	Nev. Rev. Stat. Ann. § 125B.020
New Hampshire	N.H. Rev. Stat. Ann. § 458-C:1
New Jersey	N.J. R. Ct. App. IX-A
New Mexico	N.M. Stat. Ann. § 40-4-11.1
New York	N.Y. Fam. Ct. Act § 413
North Carolina	N.C. Gen. Stat. § 50-13-4
North Dakota	N.D. Cent. Code § 14-08-01
Ohio	Ohio Rev. Code Ann. § 3103.03
Oklahoma	Okla. Stat. tit. 43, § 112
Oregon	Or. Rev. Stat. § 109.100
Pennsylvania	23 Pa. Cons. Stat. § 4321
Rhode Island	R.I. Gen. Laws Ann. § 15-9-1
South Carolina	S.C. Code Ann. § 63-17-470
South Dakota	S.D. Codified Laws § 25-7-6.1
Tennessee	Tenn. Code Ann. § 36-5-101

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Texas	Tex. Fam. Code Ann. § 154.001
Utah	Utah Code Ann. § 78B-12-105
Vermont	Vt. Stat. Ann. tit. 15, § 654
Virginia	Va. Code Ann. § 20-61
Washington	Wash. Rev. Code Ann. § 26.09.100
West Virginia	W. Va. Code Ann. § 48-13-103
Wisconsin	Wis. Stat. Ann. § 767.501
Wyoming	Wyo. Stat. Ann. § 14-2-204

Termination

Alabama	Ala. Code § 12-15-319
Alaska	Alaska Stat. § 47.10.088
Arizona	Ariz. Rev. Stat. Ann. § 8-533
Arkansas	Ark. Code Ann. § 9-27-341
California	Cal. Fam. Code §§ 7820-23
Colorado	Colo. Rev. Stat. Ann. § 19-3-604
Connecticut	Conn. Gen. Stat. Ann. § 17a-111a
Delaware	Del. Code Ann. tit. 13, § 1103
District of Columbia	D.C. Code §§ 16-2353-354
Florida	Fla. Stat. Ann. § 39.806
Georgia	Ga. Code Ann. §§ 15-11-310-11
Hawaii	Haw. Rev. Stat. § 571-61
Idaho	Idaho Code Ann. § 16-2005
Illinois	705 Ill. Comp. Stat. 405/1-2

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Indiana	Ind. Code § 31-35-2-4
Iowa	Iowa Code Ann. §§ 600A.2, 600A.8
Kansas	Kan. Stat. Ann. §§ 38-2269, 38-2271
Kentucky	Ky. Rev. Stat. Ann. § 625.090
Louisiana	La. Child. Code Ann. art. 1015
Maine	Me. Rev. Stat. tit. 22, § 4055
Maryland	Md. Code Ann., Fam. Law § 5-525.1
Massachusetts	Mass. Gen. Laws ch. 119, § 26
Michigan	Mich. Comp. Laws Ann. § 712A.19b
Minnesota	Minn. Stat. §§ 260.012, 260C.301
Mississippi	Miss. Code § 93-15-103
Missouri	Mo. Ann. Stat. § 211.447
Montana	Mont. Code Ann. § 41-3-609
Nebraska	Neb. Rev. Stat. § 43-292
Nevada	Nev. Rev. Stat. Ann. § 128.105
New Hampshire	N.H. Rev. Stat. Ann. § 170-C
New Jersey	N.J. Stat. Ann. § 30:4C-15
New Mexico	N.M. Stat. Ann. § 32A-4-29
New York	N.Y. Soc. Serv. Law § 384
North Carolina	N.C. Gen. Stat. § 7B-1111
North Dakota	N.D. Cent. Code § 27-20-44
Ohio	Ohio Rev. Code Ann. § 2151.414
Oklahoma	Okla. Stat. tit. 10A, § 1-4-904
Oregon	Or. Rev. Stat. § 419B.500
Pennsylvania	23 Pa. Cons. Stat. § 2511

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Rhode Island	R.I. Gen. Laws Ann. § 15-7-7
South Carolina	S.C. Code Ann. § 63-7-2570
South Dakota	S.D. Codified Laws § 26-8A-26
Tennessee	Tenn. Code Ann. § 36-1-113
Texas	Tex. Fam. Code Ann. § 161.001
Utah	Utah Code Ann. § 78A-6-503
Vermont	Vt. Stat. Ann. tit. 15A, § 3-504
Virginia	Va. Code Ann. § 16.1-283
Washington	Wash. Rev. Code Ann. § 13.34.132
West Virginia	W. Va. Code Ann. § 49-6-5
Wisconsin	Wis. Stat. Ann. § 48.415
Wyoming	Wyo. Stat. Ann. § 14-2-309

Intestacy

Alabama	Ala. Code § 43-8-41
Alaska	Alaska Stat. § 13.12.102
Arizona	Ariz. Rev. Stat. Ann. § 14-2102
Arkansas	Ark. Code Ann. § 28-9-214
California	Cal. Prob. Code § 6401
Colorado	Colo. Rev. Stat. Ann. § 15-11-102
Connecticut	Conn. Gen. Stat. Ann. § 45a-437
Delaware	Del. Code Ann. tit. 12, § 502
District of Columbia	D.C. Code § 19-302
Florida	Fla. Stat. Ann. § 732.102

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Georgia	Ga. Code Ann. § 53-2-1
Hawaii	Haw. Rev. Stat. § 560:2-102
Idaho	Idaho Code Ann. § 15-2-102
Illinois	755 Ill. Comp. Stat. 5/2-1
Indiana	Ind. Code § 29-1-2-1
Iowa	Iowa Code Ann. §§ 633.211-12
Kansas	Kan. Stat. Ann. § 59-504
Kentucky	Ky. Rev. Stat. Ann. § 391.010
Louisiana	La. Civ. Code Ann. art. 880
Maine	Me. Rev. Stat. tit. 18-A, § 2-102
Maryland	Md.Code Ann., Est. & Trusts § 3-102
Massachusetts	Mass. Gen. Laws Ann. ch. 190B, § 2-102
Michigan	Mich. Comp. Laws Ann. § 700.2102
Minnesota	Minn. Stat. § 524.2-102
Mississippi	Miss. Code Ann. § 91-1-7
Missouri	Mo. Ann. Stat. § 474.010
Montana	Mont. Code Ann. § 72-2-112
Nebraska	Neb. Rev. Stat. § 30-2302
Nevada	Nev. Rev. Stat. Ann. § 134.040
New Hampshire	N.H. Rev. Stat. Ann. § 561:1
New Jersey	N.J. Stat. Ann. § 3B:5-3
New Mexico	N.M. Stat. Ann. § 45-2-102
New York	N.Y. Est. Powers & Trusts Law § 4-1.1
North Carolina	N.C. Gen. Stat. § 29-14

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North Dakota	N.D. Cent. Code § 30.1-04-02
Ohio	Ohio Rev. Code Ann. § 2105.06
Oklahoma	Okla. Stat. tit. 84, § 213
Oregon	Or. Rev. Stat. §§ 112.025,035
Pennsylvania	20 Pa. Cons. Stat. § 2102
Rhode Island	R.I. Gen. Laws Ann. § 33-1-3
South Carolina	S.C. Code Ann. § 62-2-102
South Dakota	S.D. Codified Laws § 29A-2-102
Tennessee	Tenn. Code Ann. § 31-2-104
Texas	Tex. Estates Code Ann. § 201.002
Utah	Utah Code Ann. § 75-2-102
Vermont	Vt. Stat. Ann. tit. 14, § 311
Virginia	Va. Code Ann. § 64.2-200
Washington	Wash. Rev. Code Ann. § 11.04.015
West Virginia	W. Va. Code Ann. § 42-1-3
Wisconsin	Wis. Stat. Ann. § 852.01
Wyoming	Wyo. Stat. Ann. § 2-4-101

Spousal Allowance

Alabama	Ala. Code § 43-8-110
Alaska	Alaska Stat. Ann. § 13.12.402
Arizona	Ariz. Rev. Stat. Ann. § 14-2402
Arkansas	Ark. Code Ann. § 28-39-201
California	Cal. Prob. Code §§ 6540, 11420
Colorado	Colo. Rev. Stat. Ann. § 15-11-403

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Connecticut	Conn. Gen. Stat. Ann. § 45a-435
Delaware	Del. Code Ann. tit. 12, §§ 2105, 2308
District of Columbia	D.C. Code § 19-101.2
Florida	Fla. Stat. Ann. §§ 732.402-03
Georgia	Ga. Code Ann. § 53-3-1
Hawaii	Haw. Rev. Stat. Ann. § 560:2-402
Idaho	Idaho Code Ann. § 15-2-403
Illinois	755 Ill. Comp. Stat. Ann. 5/15-1
Indiana	Ind. Code Ann. § 29-1-4-1
Iowa	N/A
Kansas	Kan. Stat. Ann. § 59-401
Kentucky	N/A
Louisiana	N/A
Maine	Me. Rev. Stat. tit. 18-a, § 2-401
Maryland	Md. Code Ann., Est. & Trusts § 3-201, Shimp v. Huff, 556 A.2d 252 (Md. 1989)
Massachusetts	Mass. Gen. Laws Ann. ch. 190B, § 2-404
Michigan	Mich. Comp. Laws Ann. § 700.2403
Minnesota	Minn. Stat. Ann. § 524.2-403

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Mississippi	Miss. Code Ann. § 91-7-135, Thomas v. Bailey, 375 So.2d 1049 (Miss. 1979), overruled on other grounds Clark v. Neese, 131 So.3d 556 (Miss. 2013)
Missouri	Mo. Rev. Stat. § 474.250; Glenn v. Gunn, 88 Mo. App. 442 (1901)
Montana	Mont. Code Ann. § 72-2-412
Nebraska	Neb. Rev. Stat. Ann. § 30-2324
Nevada	Nev. Rev. State. Ann. §§ 146.010, 040
New Hampshire	N/A
New Jersey	N/A
New Mexico	N.M. Stat. Ann. § 45-2-402
New York	N.Y. Est. Powers & Trusts Law § 5-3.1; In re Di Prato's Estate, 180 N.Y.S.2d 396 (N.Y. Surr. Ct. Westchester Cnty. 1958)
North Carolina	N.C. Gen. Stat. Ann. § 30-15
North Dakota	N.D. Cent. Code Ann. § 30.1-07-02 (2-404)
Ohio	Ohio Rev. Code Ann. § 2106.13; Norwood-Hyde Park Bank & Trust Co. v. Howard, 32 Ohio N.P. (N.S.) 191 (Ohio Com. Pleas 1934)
Oklahoma	Okla. Stat. Ann. tit. 58, § 311
Oregon	Or. Rev. Stat. Ann. §§ 114.015, 075
Pennsylvania	20 Pa. Cons. Stat. §§ 3121, 3392

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Rhode Island	R.I. Gen. Laws Ann. §§ 33-1-6, 33-12-11
South Carolina	S.C. Code Ann. § 62-3-807
South Dakota	S.D. Codified Laws § 29A-2-402
Tennessee	Tenn. Code Ann. § 30-2-201, Yoe v. Sansom, 48 S.W. 317 (Tenn. Ch.1898)
Texas	Tex. Estates Code Ann. § 102.004
Utah	Utah Code Ann. § 75-2-402
Vermont	N/A
Virginia	Va. Code Ann. § 64.2-309
Washington	Wash. Rev. Code Ann. §§ 11.54.010, .060
West Virginia	N/A
Wisconsin	Wis. Ann. Stat. §§ 861.25, .41
Wyoming	Wyo. Stat. Ann. §§ 2-5-103, 2-7-503

Taxes

Alabama	Ala. Code § 40-18-5
Alaska	N/A
Arizona	Ariz. Rev. Stat. Ann. § 43-309
Arkansas	Ark. Code Ann. § 26-51-801
California	Cal. Rev. & Tax. § 18501(b)
Colorado	Colo. Rev. Stat. Ann. § 39-22-107

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Connecticut	Conn. Agencies Regs. § 12-702(c)(1)-1
Delaware	Del. Code Ann. tit. 30, § 1162
District of Columbia	D.C. Code § 47-1805.01
Florida	N/A
Georgia	Ga. Code Ann. § 48-7-27
Hawaii	Haw. Rev. Stat. § 235-93
Idaho	Idaho Code Ann. § 63-3031
Illinois	35 Ill. Comp. Stat. 5/502(c)
Indiana	Ind. Code § 6-3-4-2
Iowa	Iowa Code Ann. § 422.13
Kansas	Kan. Stat. Ann. § 79-32,115
Kentucky	Ky. Rev. Stat. Ann. § 141.180
Louisiana	La. Rev. Stat. Ann. § 47:101
Maine	Me. Rev. Stat. tit. 36, § 5221
Maryland	Md. Code Ann., Tax-Gen. § 10-807
Massachusetts	Mass. Gen. Laws Ann. ch. 62C, § 6
Michigan	Mich. Comp. Laws Ann. § 206.311
Minnesota	Minn. Stat. § 290.06
Mississippi	Miss. Code Ann. § 27-7-31
Missouri	Mo. Ann. Stat. § 143.491
Montana	Mont. Code Ann. § 15-30-2602
Nebraska	Neb. Rev. Stat. § 77-2732
Nevada	N/A
New Hampshire	N.H. Rev. Stat. Ann. § 77:5-a

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New Jersey	N.J. Stat. Ann. § 54:8A-44
New Mexico	N.M. Stat. Ann. § 7-2-2
New York	N.Y. Tax Law § 651
North Carolina	N.C. Gen. Stat. § 105-152
North Dakota	N.D. Cent. Code § 57-38-31
Ohio	Ohio Rev. Code Ann. § 5747.08
Oklahoma	Okla. Stat. tit. 68, § 2361
Oregon	Or. Rev. Stat. § 316.122
Pennsylvania	72 Pa. Cons. Stat. § 7331
Rhode Island	R.I. Gen. Laws Ann. § 44-30-11
South Carolina	S.C. Code Ann. § 12-6-5000
South Dakota	N/A
Tennessee	Tenn. Code Ann. § 67-2-104
Texas	N/A
Utah	Utah Code Ann. § 59-10-503
Vermont	Vt. Stat. Ann. tit. 32, § 5861
Virginia	Va. Code Ann. § 58.1-324
Washington	N/A
West Virginia	W. Va. Code Ann. § 11-21-51
Wisconsin	Wis. Stat. Ann. § 71.03
Wyoming	N/A

Public Employee Benefits

Alabama	Ala. Code § 36-27-16
Alaska	Alaska Stat. § 39.35.490(a)

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Arizona	Ariz. Rev. Stat. Ann. § 38-762
Arkansas	Ark. Code Ann. § 21-5-708
California	Cal. Gov't Code § 21350(a)
Colorado	Colo. Rev. Stat. Ann. § 24-51-909
Connecticut	Conn. Gen. Stat. Ann. § 5-165
Delaware	Del. Code Ann. tit. 29, § 5528
District of Columbia	D.C. Code § 1-621.07
Florida	Fla. Stat. Ann. § 121.091
Georgia	Ga. Code Ann. § 47-2-121
Hawaii	Haw. Rev. Stat. § 88-84
Idaho	Idaho Code Ann. § 59-1361
Illinois	40 Ill. Comp. Stat. 5/14-128
Indiana	Ind. Code § 5-10-8-2.2
Iowa	Iowa Code Ann. § 97B.44
Kansas	Kan. Stat. Ann. § 75-6501
Kentucky	N/A
Louisiana	La. Rev. Stat. Ann. § 11:471.1
Maine	Me. Rev. Stat. tit. 5, § 17953
Maryland	Md. Code Ann., State Pers. & Pens. § 21-602
Massachusetts	Mass. Gen. Laws Ann.ch. 32, § 12B
Michigan	Mich. Comp. Laws Ann. § 38.27
Minnesota	Minn. Stat. §§ 43A.27, 352.115
Mississippi	Miss. Code Ann. § 25-11-114
Missouri	Mo. Ann. Stat. § 104.395

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Montana	Mont. Code Ann. § 19-2-802
Nebraska	Neb. Rev. Stat. §§ 42-1107, 84-1317, 84-1323
Nevada	Nev. Rev. Stat. Ann. § 286.541
New Hampshire	N.H. Rev. Stat. Ann. § 100-A:1
New Jersey	N.J. Stat. Ann. § 43:16A-12.1
New Mexico	N.M. Stat. Ann. §§ 10-11-14.5, 10-11A-7
New York	N.Y. Civ. Serv. Law § 164
North Carolina	N.C. Gen. Stat. § 135-17
North Dakota	N.D. Cent. Code § 54-52-17(6)
Ohio	Ohio Rev. Code Ann. § 145.45
Oklahoma	Okla. Stat. tit. 74, § 918
Oregon	Or. Rev. Stat. § 238A.190
Pennsylvania	N/A
Rhode Island	R.I. Gen. Laws Ann. § 36-10-18
South Carolina	S.C. Code Ann. § 9-8-110
South Dakota	S.D. Codified Laws § 3-12-94
Tennessee	Tenn. Code Ann. § 8-36-109
Texas	Tex. Gov't Code Ann. § 804.051
Utah	Utah Code Ann. § 49-11-609
Vermont	Vt. Stat. Ann. tit. 3, § 631
Virginia	Va. Code Ann. § 51.1-162
Washington	Wash. Rev. Code Ann. § 41.05.050
West Virginia	W. Va. Code Ann. § 5-16-13
Wisconsin	Wis. Stat. Ann. § 40.02

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Wyoming	Wyo. Stat. Ann. § 9-3-209

Consortium

Alabama	Swartz v. U.S. Steel Corp., 304 So. 2d 881 (Ala. 1974)
Alaska	Alaska Stat. § 09.55.580(a), (c)
Arizona	City of Glendale v. Bradshaw, 503 P.2d 803 (Ariz. 1972)
Arkansas	Hisaw v. State Farm Mut. Auto. Ins. Co., 353 Ark. 668 (2003)
California	Cal. Civ. Code § 1431.2(2)
Colorado	Draper v. DeFrenchi-Gordineer, 282 P.3d 489 (Colo. App. 2011)
Connecticut	Conn. Gen. Stat. Ann. § 52-555a
Delaware	Stenta v. Leblang, 185 A.2d 759 (Del. 1962).
District of Columbia	Crowley v. N. Am. Telecomms. Ass'n, 691 A.2d 1169 (D.C. 1997)
Florida	Gates v. Foley, 247 So.2d 40 (Fla. 1971)
Georgia	Mears v. Gulfstream Aerospace Corp., 484 S.E.2d 659 (Ga. Ct. App. 1997)
Hawaii	Doi v. Hawaiian Ins. & Guar. Co., 727 P.2d 884 (Haw. Ct. App. 1986)
Idaho	Rindlisbaker v. Wilson, 519 P.2d 421 (Idaho 1974)

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Illinois	Malfeo v. Larson, 208 Ill. App. 3d 418 (1990)
Indiana	Troue v. Marker, 252 N.E.2d 800 (Ind. 1969)
Iowa	Huber v. Hovey, 501 N.W.2d 53 (Iowa 1993)
Kansas	Kan. Stat. Ann. § 60-1904
Kentucky	Ky. Rev. Stat. Ann. § 411.145
Louisiana	La. Rev. Stat. Civil. Code art. 2315
Maine	Me. Rev. Stat. tit. 14, § 302
Maryland	Deems v. W. Md. Ry., 231 A.2d 514 (Md. 1967)
Massachusetts	Feliciano v. Rosemar Silver Co., 514 N.E.2d 1095 (Mass. 1987)
Michigan	Eide v. Kelsey-Hayes Co., 427 N.W.2d 488 (Mich. 1988)
Minnesota	Huffer v. Kozitza, 375 N.W. 2d 480 (Minn. 1985)
Mississippi	Miss. Code Ann. § 93-3-1
Missouri	Shepherd v. Consumers Coop. Ass'n, 384 S.W.2d 635 (Mo. 1964) (en banc)
Montana	Bain v. Gleason, 726 P.2d 1153 (Mont. 1986)
Nebraska	Simms v. Vicorp Rests., Inc., 725 N.W.2d 406 (Neb. 2006)

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Nevada	Gen. Elec. Co. v. Bush, 88 Nev. 360 (1972)
New Hampshire	N.H. Rev. Stat. Ann. § 507:8-a
New Jersey	Ekalo v. Constructive Serv. Corp. of Am., 215 A.2d 1 (N.J. 1965)
New Mexico	Romero v. Byers, 872 P.2d 840 (N.M. 1994)
New York	Millington v. Se. Elevator Co., 239 N.E.2d 897 (N.Y. 1968)
North Carolina	Nicholson v. Hugh Chatham Mem'l Hosp., Inc., 266 S.E.2d 818 (N.C. 1980)
North Dakota	Butz v. World Wide, Inc., 492 N.W.2d 88 (N.D. 1992)
Ohio	Clouston v. Remlinger Oldsmobile Cadillac, Inc., 258 N.E.2d 230 (Ohio 1970)
Oklahoma	Middlebrook v. Imler, Tenny & Kugler, M.D.'s, Inc., 713 P.2d 572 (Okla. 1985)
Oregon	Or. Rev. Stat. § 108.010
Pennsylvania	Hopkins v. Blanco, 320 A.2d 139 (Pa. 1974)
Rhode Island	R.I. Gen. Laws Ann. § 9-1-41
South Carolina	S.C. Code Ann. § 15-75-20
South Dakota	Hoekstra v. Helgeland, 98 N.W.2d 669 (S.D. 1959).

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Tennessee	Tuggle v. Allright Parking Sys., Inc., 922 S.W.2d 105 (Tenn. 1996)
Texas	Whittlesey v. Miller, 572 S.W.2d 665 (Tex. 1978)
Utah	Utah Code Ann. § 30-2-11
Vermont	Vt. Stat. Ann. tit. 12, § 5431
Virginia	N/A
Washington	Lund v. Caple, 675 P.2d 226 (Wash. 1984)
West Virginia	W. Va. Code Ann. § 48-29-302
Wisconsin	Kottka v. PPG Indus., Inc., 388 N.W.2d 160 (Wis. 1986)
Wyoming	Gates v. Richardson, 719 P.2d 193 (Wyo. 1986)

Wrongful Death

Alabama	N/A
Alaska	Alaska Stat. § 09.55.580(a)
Arizona	Ariz. Rev. Stat. Ann. § 12-612
Arkansas	Ark. Code Ann. § 16-62-102
California	Cal. Civ. Proc. Code § 377.60(a)
Colorado	Colo. Rev. Stat. Ann. § 13-21-201
Connecticut	N/A
Delaware	Del. Code Ann. tit. 10, § 3724
District of Columbia	D.C. Code § 16-2701
Florida	Fla. Stat. Ann. § 768.21

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Georgia	Ga. Code Ann. § 51-4-2
Hawaii	Haw. Rev. Stat. § 663-3
Idaho	Idaho Code Ann. § 5-311
Illinois	740 Ill. Comp. Stat. 180/2
Indiana	Ind. Code § 34-23-1-1
Iowa	Iowa Code Ann. § 633.336
Kansas	N/A
Kentucky	Ky. Rev. Stat. Ann. § 411.130
Louisiana	La. Civil. Code Ann. arts. 2315.2, 2315.5
Maine	Me. Rev. Stat. tit. 18-A, § 2-804
Maryland	Md. Code Ann., Cts. & Jud. Proc. § 3-904
Massachusetts	Mass. Gen. Laws ch. 229, § 1
Michigan	Mich. Comp. Laws Ann. § 600.2922
Minnesota	Minn. Stat. § 573.02
Mississippi	Miss. Code Ann. § 11-7-13
Missouri	Mo. Ann. Stat. § 537.080
Montana	N/A
Nebraska	Neb. Rev. Stat. § 30-810
Nevada	Nev. Rev. Stat. Ann. § 41.085
New Hampshire	N/A
New Jersey	N.J. Stat. Ann. § 2A:31-4
New Mexico	N.M. Stat. Ann. § 41-2-3

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New York	N.Y. Est. Powers & Trusts Law §§ 4-1.1, 5-4.4
North Carolina	N/A
North Dakota	N.D. Cent. Code § 32-21-03
Ohio	Ohio Rev. Code Ann. § 2125.02
Oklahoma	Okla. Stat. tit. 12, § 1053
Oregon	Or. Rev. Stat. § 30.020
Pennsylvania	42 Pa. Cons. Stat. § 8301
Rhode Island	R.I. Gen. Laws Ann. § 10-7-2
South Carolina	S.C. Code Ann. § 15-51-20
South Dakota	S.D. Codified Laws § 21-5-5
Tennessee	Tenn. Code Ann. § 20-5-106
Texas	Tex. Civ. Prac. & Rem. Code Ann. § 71.004
Utah	Utah Code Ann. §§ 78B-3-105-06
Vermont	Vt. Stat. Ann. tit. 14, § 1492
Virginia	Va. Code Ann. § 8.01-53
Washington	Wash. Rev. Code Ann. § 4.20.020
West Virginia	W. Va. Code Ann. § 55-7-6
Wisconsin	Wis. Stat. Ann. § 895.04
Wyoming	Butler v. Halstead ex rel. Colley, 770 P.2d 698 (Wyo. 1989)

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Alabama	Ala. Code §§ 25-5-61-62
Alaska	Alaska Stat. § 23.20.370

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Arizona	Ariz. Rev. Stat. Ann. § 23-1064
Arkansas	Ark. Code Ann. § 11-9-527
California	Cal. Lab. Code § 3501(b)
Colorado	Colo. Rev. Stat. Ann. § 8-41-501
Connecticut	Conn. Gen. Stat. Ann. § 31-306
Delaware	Del. Code Ann. tit. 19, § 2330
District of Columbia	D.C. Code §§ 32-1508-509
Florida	Fla. Stat. Ann. § 440.16
Georgia	Ga. Code Ann. § 34-9-13
Hawaii	Haw. Rev. Stat. § 386-34
Idaho	Idaho Code Ann. § 72-410
Illinois	820 Ill. Comp. Stat. 305/7
Indiana	Ind. Code § 22-3-3-18-19
Iowa	Iowa Code Ann. §§ 85.42-43
Kansas	Kan. Stat. Ann. § 44-510b
Kentucky	Ky. Rev. Stat. Ann. § 342.075
Louisiana	La. Rev. Stat. Ann. § 23:1232
Maine	Me. Rev. Stat. tit. 39-A, § 215
Maryland	Md. Code Ann., Lab. & Empl. § 9-632
Massachusetts	Mass. Gen. Laws ch. 152, § 31
Michigan	Mich. Comp. Laws Ann. §§ 418.321, .331
Minnesota	Minn. Stat. § 176.111
Mississippi	Miss. Code Ann. § 71-3-25
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Montana	Mont. Code Ann. § 39-71-723
Nebraska	Neb. Rev. Stat. § 48-122.03
Nevada	Nev. Rev. Stat. Ann. § 616C.505
New Hampshire	N.H. Rev. Stat. Ann. § 281-A:2, 26
New Jersey	N.J. Stat. Ann. § 34:15-13
New Mexico	N.M. Stat. Ann. § 52-1-17
New York	N.Y. Worker's Comp. Law § 33
North Carolina	N.C. Gen. Stat. § 97-39
North Dakota	N.D. Cent. Code § 65-05-12.2(9)
Ohio	Ohio Rev. Code Ann. § 4123.59
Oklahoma	Okla. Stat. tit. 85A, § 47
Oregon	Or. Rev. Stat. § 656.204
Pennsylvania	77 Pa. Cons. Stat. § 561
Rhode Island	R.I. Gen. Laws Ann. § 28-33-12
South Carolina	S.C. Code Ann. §§ 42-9-110, 130
South Dakota	S.D. Codified Laws § 62-4-8
Tennessee	Tenn. Code Ann. § 50-6-210
Texas	Tex. Lab. Code Ann. § 408.182
Utah	Utah Code Ann. § 34A-2-414
Vermont	Vt. Stat. Ann. tit. 21, § 632
Virginia	Va. Code Ann. § 65.2-515
Washington	Wash. Rev. Code Ann. § 51.08.020
West Virginia	W. Va. Code Ann. § 23-4-10
Wisconsin	Wis. Stat. Ann. § 102.51
Wyoming	Wyo. Stat. Ann. § 27-14-403

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Alabama	Ala. Code § 22-8A-11
Alaska	Alaska Stat. § 13.52.030(c)
Arizona	Ariz. Rev. Stat. Ann. § 36-3231
Arkansas	Ark. Code Ann. § 20-6-105
California	Cal. Prob. Code § 4717
Colorado	Colo. Rev. Stat. Ann. §15-18.5-103
Connecticut	Conn. Gen. Stat. Ann. § 19a-570-71
Delaware	Del. Code Ann. tit. 16, § 2507
District of Columbia	D.C. Code § 21-2210
Florida	Fla. Stat. Ann. § 765.401
Georgia	Ga. Code Ann. § 31-9-2
Hawaii	N/A
Idaho	Idaho Code Ann. § 15-5-311
Illinois	755 Ill. Comp. Stat. 40/25
Indiana	Ind. Code § 16-36-1-5
Iowa	Iowa Code Ann. § 144A.7
Kansas	Kan. Stat. Ann. § 65-4974
Kentucky	Ky. Rev. Stat. Ann. § 311.631
Louisiana	La. Rev. Stat. Ann. § 40:1299.53
Maine	Me. Rev. Stat. tit.18-A, § 5-805
Maryland	Md. Code Ann., Health-Gen. § 5-605
Massachusetts	Shine v. Vega, 709 N.E.2d 58 (Mass. 1999)

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Michigan	Mich. Comp. Laws Ann. §§ 333.5653, .5655
Minnesota	Minn. Stat. § 524.5-309
Mississippi	Miss. Code Ann. §41-41-211
Missouri	N/A
Montana	Mont. Code Ann. § 50-9-106
Nebraska	N/A
Nevada	Nev. Rev. Stat. Ann. § 449.626
New Hampshire	N.H. Rev. Stat. Ann. § 137-J:35
New Jersey	N/A
New Mexico	N.M. Stat. Ann. § 24-7A-5
New York	N.Y. Pub. Health Law § 2994-d
North Carolina	N.C. Gen. Stat. § 90-322
North Dakota	N.D. Cent. Code § 23-12-13
Ohio	Ohio Rev. Code Ann. § 2133
Oklahoma	N/A
Oregon	Or. Rev. Stat. § 127.635
Pennsylvania	20 Pa. Cons. Stat. § 5461
Rhode Island	N/A
South Carolina	S.C. Code Ann. § 44-66-30
South Dakota	S.D. Codified Laws § 34-12C-3
Tennessee	Tenn. Code Ann. § 68-11-1806
Texas	Tex. Health & Safety Code Ann. § 166.039
Utah	Utah Code Ann. § 75-2a-108
Vermont	N/A

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Washington	Wash. Rev. Code Ann. § 7.70.065
West Virginia	W. Va. Code Ann. § 16-30-8
Wisconsin	Wis. Stat. Ann. § 50.06
Wyoming	Wyo. Stat. Ann. § 35-22-406

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Alaska	Alaska R. Evid. 505
Arizona	Ariz. Rev. Stat. Ann. § 13-4062
Arkansas	Ark. R. Evid. 504
California	Cal. Evid. Code §§ 970-71
Colorado	Colo. Rev. Stat. Ann. § 13-90-107
Connecticut	Conn. Gen. Stat. Ann. § 54-84a
Delaware	Del. R. Evid. 504
District of Columbia	D.C. Code § 14-306
Florida	Fla. Stat. Ann. § 90.504
Georgia	Ga. Code Ann. § 24-5-501
Hawaii	Haw. Rev. Stat. § 626-1
Idaho	Idaho R. Evid. 504
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Indiana	Ind. Code § 34-46-3-1
Iowa	Iowa Code Ann. § 622.9
Kansas	Kan. Stat. Ann. § 60-428
Kentucky	Ky. R. Evid. 504

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Louisiana	La. Rev. Stat. Code Evid. arts. 504-05
Maine	Me. R. Evid. 504
Maryland	Md. Code Ann., Cts. & Jud. Proc. § 9-106
Massachusetts	Mass. Gen. Laws Ann. ch. 233, § 20
Michigan	Mich. Comp. Laws Ann. § 600.2162
Minnesota	Minn. Stat. § 595.02
Mississippi	Miss. R. Evid. 504
Missouri	Mo. Ann. Stat. § 546.260
Montana	Mont. Code Ann. § 26-1-802
Nebraska	Neb. Rev. Stat. § 27-505
Nevada	Nev. Rev. Stat. Ann. § 49.295
New Hampshire	N.H. R. Evid. 504
New Jersey	N.J. Stat. Ann. § 2A:84A-22
New Mexico	N.M. R. Evid. 11-505
New York	N.Y. C.P.L.R. 4502
North Carolina	N.C. Gen. Stat. § 8-56
North Dakota	N.D. R. Evid. 504
Ohio	Ohio R. Evid. 601
Oklahoma	Okla. Stat. tit. 12, § 2504
Oregon	Or. Rev. Stat. § 40.255
Pennsylvania	42 Pa. Cons. Stat. § 5913
Rhode Island	R.I. Gen. Laws Ann. § 9-17-13
South Carolina	S.C. Code Ann. § 19-11-30

Appendix C

South Dakota	S.D. Codified Laws § 19-13-13
Tennessee	Tenn. Code Ann. § 24-1-201
Texas	Tex. R. Evid. 504
Utah	Utah R. Evid. 502
Vermont	Vt. R. Evid. 504
Virginia	Va. Code Ann. § 8.01-398
Washington	Wash. Rev. Code Ann. § 5.60.060
West Virginia	W. Va. Code Ann. § 57-3-4
Wisconsin	Wis. Stat. Ann. § 905.05
Wyoming	Wyo. Stat. Ann. § 1-12-104